IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE C.V.RAMULU

WRIT PETITION NO : 7397 of 1999

Between:

A.K.Rajan S/o. A.G.Kunju Pillai
Head Constable, C.I.S.F., BHEL
Hyderabad-500 032.

..... PETITIONER

AND

1 The Commandant, CISF Unit, D.S.P., Durgapur, West Bengal.
2 The D.I.G., C.I.S.F.Unit, D.S.P., Durgapur, West Bengal.
3 The Commandant, CISF Unit, BHEL, Hyderabad.

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction more particularly in the nature of Writ of Certiorari after calling for the records leading up to the proceedings of the 3rd Respondent in No.V/15014/CISF/BHEL/Ad.V /Maj-/85/99/1478; dt. 27.3.1999 and quash the same as being illegal, unjust and oppose to the principles of natural justice.

Counsel for the Petitioner: MR.KRISHNA MURTHY ATTIVILLI

Counsel for the Respondents: MR.GUMMALA VIJAYA KUMAR

The Court made the following :

ORAL ORDER:

After advancing arguments for sometime, learned counsel for the petitioner submitted that since disputed questions of facts arise, the petitioner be permitted to withdraw the writ petition, with leave and liberty to avail the remedy of appeal against the impugned order before the appropriate appellate authority.

In view of the above, the Writ Petition is dismissed as withdrawn granting leave and liberty to the petitioner to approach the appropriate authority within a period of two weeks from today. On filing such appeal the appellate authority shall consider and dispose of the same on merits.

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09.09.2004

Nsr

To

1 The Commandant, CISF Unit, D.S.P., Durgapur, West Bengal.
2 The D.I.G., C.I.S.F.Unit, D.S.P., Durgapur, West Bengal.
3 The Commandant, CISF Unit, BHEL, Hyderabad.

4 Two CD copies.